

The Honorable Richard A. Jones

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

ABDIQAFAR WAGAFE, *et al.*,

No. 2:17-cv-00094-RAJ

Plaintiffs,

**PARTIES' JOINT NOTICE FOLLOWING
DECEMBER 18, 2018 STATUS
CONFERENCE**

DONALD TRUMP, President of the United States, *et al.*,

Defendants.

On December 18, 2018, the Court held a telephonic status conference with the parties to discuss the overall progress of discovery and the status of several pending motions. *See* Dkt. (Plaintiffs' Motion for Sanctions); Dkt. #152 (Plaintiffs' Motion to Compel Re Deliberative Privilege); Dkt. #210 (Parties' Stipulated Motion to Set Briefing on Discovery Disputes). At the close of the status conference, the Court directed the parties to file, by Friday, December 21, 2018, their positions as to the following issues: (1) whether the parties agree to proceed with the proposed schedule for the briefing of discovery disputes described in Dkt. #210; (2) in regard to the *in camera* briefing, whether the parties agree on what should be submitted *in camera* and/or *ex parte*; and (3) the procedure and timing for submission for *in camera*, *ex parte*

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UNITED STATES DEPARTMENT OF JUSTICE
Civil Division, Office of Immigration Litigation
Ben Franklin Station, P.O. Box 878
Washington, DC 20044
(202) 616-4900

1 review of a limited subset of documents withheld by Defendants under the deliberative process
2 privilege and challenged in Plaintiffs' Motion to Compel (Dkt. #152).

3 On December 19, 2018, the parties met and conferred with respect to each of the above
4 issues and have reached the following joint positions: (1) the parties agree to proceed with the
5 proposed briefing schedule for discovery disputes noted in Dkt #210; (2) the parties made no
6 formal agreements as to *in camera* submissions in support of such briefing, but did resolve that
7 any party seeking to submit briefing and/or supportive declarations *in camera* and/or *in camera*
8 and *ex parte* would move for leave of the Court to do so at the time of filing, and any challenges
9 by the opposing party could be brought at such time, and (3) the parties agree that Defendants
10 will submit, no later than Friday, December 28, 2018, four documents previously shared with
11 Plaintiffs during the parties' deliberative process privilege negotiations for the Court's *in camera*
12 review in relation to Dkt. #152.

1 Dated: December 21, 2018

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Respectfully Submitted,

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23

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CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Lindsay M. Murphy
LINDSAY M. MURPHY